

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A secondary cell comprising:

a positive electrode and a negative electrode both comprising a solid active material;

and

an electrolyte layer which has been intervened between

the positive electrode and the negative electrode,

wherein ~~at least one of~~ both of the solid active materials for constituting the positive electrode and the negative electrode ~~is~~ are composed of a mixed oxygen ion and electron conductor capable of inserting and eliminating oxygen ion or absorbing and releasing oxygen.

Claim 2 (Cancelled).

Claim 3 (Original): The secondary cell as claimed in claim 1, wherein the mixed oxygen ion and electron conductor is composed of Ceria-Zirconia complex oxide.

Claim 4 (Original): The secondary cell as claimed in claim 3, wherein the Ceria-Zirconia complex oxide is composed of a composition represented by $\text{Ce}_{4-x}\text{Zr}_x\text{O}_{8-y}$, wherein $1.6 \leq x \leq 2.4$, and $0 \leq y \leq 1.2$.

Claim 5 (Original): The secondary cell as claimed in claim 4, wherein the Ceria-Zirconia complex oxide indicates respectively one peak, that is, total three peaks with respect to $2\theta = 13.8^\circ\text{-}14.6^\circ$, $36.0^\circ\text{-}37.4^\circ$, and $43.2^\circ\text{-}44.9^\circ$ in a powder X-ray diffraction (XRD) measurement using $\text{Cu-K}\alpha$ radiation.

Claim 6 (Original): The secondary cell as claimed in claim 1, wherein the electrolyte layer is composed of a solid oxygen ion conductor.

Claim 7 (Currently Amended): The secondary cell as claimed in claim 6, wherein all of the solid active material for constituting the positive electrode, the solid active material for constituting the negative electrode, and the electrolyte layer are composed of oxides, and an interface between the positive electrode and the electrolyte layer and an interface between the negative electrode and the electrolyte layer are composed of a gradient composition ~~which gradually changes from one composition to the other composition.~~

Claim 8 (Currently Amended): The secondary cell as claimed in claim 6, wherein the solid active material for constituting the positive electrode and the negative electrode are composed of Ceria-Zirconia complex oxide, and the electrolyte layer is composed of a Zirconia solid solution ~~in which~~ comprises a metal element capable of being bivalent or trivalent metal ion ~~has been substituted and solved.~~

Claim 9 (Original): The secondary cell as claimed in claim 6, wherein any of the solid active material for constituting the positive electrode, the solid active material for constituting the negative electrode, and the electrolyte layer has a crystal structure belonging to the same Bravais lattice.

Claim 10 (New): The secondary cell as claimed in claim 4, wherein the Ceria-Zirconia complex oxide is composed of a composition represented by $\text{Ce}_2\text{Zr}_2\text{O}_{7.5}$.

Claim 11 (New): The secondary cell as claimed in claim 8, wherein the metal element is selected from the group consisting of yttrium, calcium, magnesium, ytterbium, gadolinium, scandium, and samarium.

Claim 12 (New): The secondary cell as claimed in claim 9, wherein crystal structures of the Bravais lattice are from the group consisting of simple cubic lattice, body-centered cubic lattice, face-centered cubic lattice, simple tetragonal lattice, body-centered tetragonal lattice, simple orthorhombic lattice, body-centered orthorhombic lattice, base-centered orthorhombic lattice, face-centered orthorhombic lattice, simple trigonal lattice, simple hexagonal lattice, simple monoclinic lattice, body-centered monoclinic lattice, and simple triclinic lattice.